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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1317/86

of 2 May 1986

altering the monetary compensatory amounts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as amended by Regulation (EEC) No 1013/86 ⁽²⁾, and in particular Articles 9 (2) and 12 thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 505/86 ⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 3155/85 of 11 November 1985 providing for the advance fixing of monetary compensatory amounts ⁽⁵⁾, as last amended by Regulation (EEC) No 1002/86 ⁽⁶⁾,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 1677/85 were fixed by Commission Regulation (EEC) No 1057/86 ⁽⁷⁾, as last amended by Regulation (EEC) No 1304/86 ⁽⁸⁾,

Whereas Commission Regulation (EEC) No 3153/85 ⁽⁹⁾ lays down detailed rules for the calculation of the

monetary compensatory amounts; whereas, in view of the spot market rates recorded, pursuant to Regulation (EEC) No 3153/85, for the Spanish peseta and the Portuguese escudo during the period 23 to 29 April 1986, the monetary compensatory amounts applicable to these two countries should be introduced pursuant to Article 9 (2) of Regulation (EEC) No 1677/85;

Whereas the Council has fixed the new agricultural conversion rates for the Spanish peseta and the Portuguese escudo that take effect at the start of the 1986/87 marketing year; whereas the start of the marketing year for milk and milk products and for beef and veal has been fixed at 12 May 1986; whereas this results in a reduction of the monetary gaps for these sectors which means that the MCAs should be abolished as from this date; whereas, under such circumstances, the application of the MCAs in these sectors should be suspended so as to avoid the disturbance that could result from the introduction of the MCAs for such a short period;

Whereas, pursuant to Council Regulation (EEC) No 1245/86 ⁽¹⁰⁾, flat-rate abatements which apply until 1 June 1986 have been determined for the MCAs applicable to pigmeat and poultry products; whereas the monetary gap calculated taking account of these abatements means that no MCAs should be fixed for these sectors in Spain;

Whereas the sugar sector is the only sector in Portugal to which MCAs apply that is subject to conventional transition; whereas the fixing of MCAs for this Member State should be restricted to this sector and to products not listed in Annex II to the extent that these are produced from sugar;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 94, 9. 4. 1986, p. 18.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 51, 28. 2. 1986, p. 1.

⁽⁵⁾ OJ No L 310, 21. 11. 1985, p. 22.

⁽⁶⁾ OJ No L 93, 8. 4. 1986, p. 8.

⁽⁷⁾ OJ No L 98, 12. 4. 1986, p. 1.

⁽⁸⁾ OJ No L 114, 1. 5. 1986, p. 85.

⁽⁹⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽¹⁰⁾ OJ No L 113, 30. 4. 1986, p. 8.

HAS ADOPTED THIS REGULATION:

Article 1

1. The columns headed 'Spain' and 'Portugal' appearing in Annex I to this Regulation are inserted in Annex I to Regulation (EEC) No 1057/86.

2. Annexes II and III to Regulation (EEC) No 1057/86 are replaced by Annexes II and III to this Regulation.

Article 2

This Regulation shall enter into force on 6 May 1986.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 May 1986.

For the Commission
Frans ANDRIESEN
Vice-President

CEREALS

[illegible]

[illegible]

[illegible]

Notes

(¹) Millet.

(²) Grain sorghum.

(³) Applicable to groats and meal of maize imported from non-member countries.

(⁴) Applicable to intra-Community trade in groats and meal of maize intended for the brewing industry (cf. Regulation (EEC) No 1570/78 (OJ No L 185, 7. 7. 1978, p. 22)).

(⁵) The monetary compensatory amount shall apply to products whose starch content is not less than 85 % by weight. For products with a starch content lower than 85 % by weight, this compensatory amount shall be multiplied by a coefficient calculated by means of the following formula:

$$C = \frac{a}{1\,000} \times 1,176$$

(C = coefficient; a = content by weight of starch, expressed as dry matter, per 1 000 kg of the product).

When completing the customs formalities, the applicant must state in the declaration provided for this purpose the content by weight of starch, expressed as dry matter, per 1 000 kg of the product.

(⁶) The monetary compensatory amount shall apply to the product whose starch content is not less than 78 % by weight. For the product with a starch content lower than 78 % by weight, this compensatory amount shall be multiplied by a coefficient calculated by means of the following formula:

$$C = \frac{a}{1\,000} \times 1,282$$

(C = coefficient; a = content by weight of starch, expressed as dry matter, per 1 000 kg of the product).

When completing the customs formalities, the applicant must state in the declaration provided for this purpose the content by weight of starch, expressed as dry matter, per 1 000 kg of the product.

(⁷) Pursuant to Regulation (EEC) No 2730/75, the product falling within subheading 17.02 B I is subject to the same compensatory amount as products falling within subheading 17.02 B II.

(⁸) If the lactic part of the milk product contains milk powder or granules (other than whey), the amount shown shall be increased by 10 times the supplementary amount shown in the table in note (⁶) of Part 5 of this Annex in respect of 'more than 12 % but less than 30 %' or '30 % or more but less than 50 %', according to the amount of milk powder contained in the finished product. In this context, the third paragraph and the first sentence of the fourth paragraph in note (⁶) of Part 5 shall also apply.

When completing customs formalities, the party concerned shall state in the declaration provided for this purpose, in particular the actual content by weight per tonne of finished product of:

- milk powder or granules (other than whey),
- whey powder or granules,
- added casein and/or caseinate.

(⁹) In the case of products containing products falling within heading No 07.06 or subheading 11.04 C of the Common Customs Tariff, no monetary compensatory amount shall be granted on the cereal constituent. However, the amounts indicated shall apply if compensatory amounts are due to be levied.

When completing:

- customs export formalities carried out in a Member State the currency of which has appreciated,
- customs import formalities carried out in a Member State the currency of which has depreciated,
- customs export formalities carried out in a Member State making use of the option provided in Article 10 of Regulation (EEC) No 1677/85,

the applicant must state in the declaration provided for this purpose the complete composition of the product and the exact content by weight of non-milk constituents broken down by tariff heading.

PART 7

SUGAR

Monetary compensatory amounts

CCT heading No	Positive ⁽¹⁾			Negative ⁽¹⁾							
	Germany	Netherlands	Denmark	United Kingdom	Belgium/Luxembourg	Ireland	Italy	France	Greece	Spain	Portugal
	DM	Fl	Dkr	£	Bfrs/Lfrs	£ Irl	Lit	FF	Dr	Pta	Esc

A. SUGAR

	— 100 kg —	
17.01 A ⁽²⁾	135,49	176,93
17.01 B ⁽³⁾	114,69	129,86
by 1 % of sucrose content and by 100 kg net of that product ⁽⁴⁾		
17.02 ex D II ⁽⁵⁾	1,355	1,769
17.02 E	1,355	1,769
17.02 F I ⁽⁶⁾	1,355	1,769
21.07 F IV	1,355	1,769

B. ISOGLUCOSE

	— for 100 kg on dry matter —	
17.02 D I	118,11	193,28
21.07 F III	118,11	193,28

075

076

077

078

079

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081

082

083

(¹) No monetary compensatory amount shall be applied to sugar and isoglucose exported to non-member countries pursuant to Article 26 of Regulation (EEC) No 1785/81.

(²) For flavoured or coloured sugars the monetary compensatory amount per 100 kg of the product in question shall be equal to the amount indicated multiplied by the sucrose content expressed as a percentage.

(³) Where the yield of the raw sugar differs from that of the standard quality defined by Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3) the monetary compensatory amount shall

be adjusted in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

(⁴) The sucrose content, including other sugars expressed as sucrose, shall be determined in accordance with Article 7 (2) of Regulation (EEC) No 837/68 in the case of imports and in accordance with Article 13 of Regulation (EEC) No 394/70 in the case of exports.

(⁵) Other sugars and syrups excluding sorbose.

(⁶) Caramelized sugars falling within heading No 17.01.

PRODUCTS TO WHICH REGULATION (EEC) No 3033/80 RELATES

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

(¹) In the case of goods not containing added whey, lactose, casein or caseinates the monetary compensatory amount shall be calculated on the basis of the quantity of sugar and/or of skimmed-milk contained in such goods. However, where the monetary compensatory amount resulting from this calculation is greater than that fixed above, the latter shall be applied.

(²) Amounts applicable as appropriate on goods falling within subheadings 21.07 G VI to IX.

(³) At the time of the completion of customs formalities, the party concerned shall be required to state in the declaration provided for this purpose:

- the actual content by weight of skimmed-milk powder contained in the goods,
- the added whey and/or lactose and/or casein and/or caseinates content and the lactose content of the added whey,

per 100 kg of finished product.

The compensatory amount is calculated for the actual quantity of skimmed-milk powder contained in the goods.

(⁴) Amount to be calculated on the basis of the actual quantities of any cereals or products resulting from their processing, sugar, milk or milk products, contained in the goods. Apply to these quantities the compensatory amount applied when such products are traded as such.

(⁵) These amounts shall not apply to goods in immediate packings of a net capacity of 1 kg or less.

(⁷) For goods falling within this subheading, the monetary compensatory amount shall be applied only according to the weight of the macaroni, spaghetti and similar products.

(⁸) If the product contains added whey and/or lactose and/or casein and/or caseinates no compensatory amount shall be granted for the milk products incorporated; in such cases the compensatory amount is to be calculated on the quantities of common wheat and sugar indicated in the Annex to Regulation (EEC) No 3034/80, less 10 %.

When completing:

- customs export formalities carried out in a Member State the currency of which has appreciated,
- customs import formalities carried out in a Member State the currency of which has depreciated,
- customs export formalities carried out in a Member State making use of the option provided in Article 10 of Regulation (EEC) No 1677/85,

the applicant shall state on the declaration provided for this purpose whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

However, if compensatory amounts have to be charged, the amounts fixed shall apply normally.

(⁹) The first and second parts of note (⁸) shall not apply to goods in immediate packings of a net capacity of 1 kg or less.

(¹⁰) Preparations for the manufacture of chocolate or chocolate milk crumb, containing more than 6,5 % but less than 11 % by weight of milkfats, more than 6,5 % but less than 15 % by weight of cocoa, and more than 50 % but less than 60 % by weight of sucrose (including invert sugar expressed as sucrose), presented in irregular pieces.

(¹¹) Amount applicable to chocolate milk crumb as defined in note (¹⁰) above, if it contains reduced-price butter under the Regulations given in note (⁴) to Part 5 of this Annex.

(¹²) Amount applicable to products other than those falling under notes (¹⁰), (¹¹) above and (¹³), (¹⁵) below.

(¹³) Amount applicable to products other than those falling under note (¹⁵) below, if they contain reduced-price butter under the Regulations given in note (⁴) to Part 5 of this Annex.

(¹⁵) Amount applicable to ice-cream and to preparations for making ice-cream and similar edible products called 'ice-mix', if they contain reduced-price butter under the Regulations given in note (⁴) to Part 5 of this Annex.

ANNEX II

Monetary coefficients

Products	Member States										
	Germany	Nether-lands	United Kingdom	BLEU	Denmark	Italy	France	Greece	Ireland	Spain	Portugal
— Beef and veal	0,982	0,982	1,107	—	—	1,065	1,063	1,418	1,015		
— Milk and milk products	0,971	0,971	1,107	—	—	1,065	1,047	1,418	1,015		
— Pigmeat	0,982	0,982	1,107	—	—	1,065	1,047	1,418	1,015	1,014	
— Sugar	0,982	0,982	1,107	—	—	1,065	1,063	1,418	1,015	1,014	1,022
— Cereals	0,976	0,976	1,107	—	—	1,065	1,063	1,418	1,015	1,014	
— Eggs and poultry and albumins	0,982	0,982	1,107	—	—	1,065	1,063	1,418	1,015	1,014	
— Wine	—	—	—	—	—	1,030	1,012	1,383	—		
— Processed products (Regulation (EEC) No 3033/80):											
— to be applied to charges	0,982	0,982	1,107	—	—	1,065	1,063	1,418	1,015	1,014	1,022
— to be applied to refunds:											
— cereals	0,976	0,976	1,107	—	—	1,065	1,063	1,418	1,015	1,014	
— milk	0,971	0,971	1,107	—	—	1,065	1,047	1,418	1,015		
— sugar	0,982	0,982	1,107	—	—	1,065	1,063	1,418	1,015	1,014	1,022

ANNEX III

Application of Article 10 of Regulation (EEC) No 1677/85

100 Lit =	2,97570	Bfrs/Lfrs	1 £ (UK) =	68,5635	Bfrs/Lfrs	1 £ (Irl) =	61,2606	Bfrs/Lfrs
	0,536979	Dkr		12,3978	Dkr		11,1072	Dkr
	0,145960	DM		3,36017	DM		2,99926	DM
	0,464708	FF		10,7096	FF		9,76610	FF
	0,164358	Fl		3,78990	Fl		3,37938	Fl
	0,0479083	£ (Irl)		1,10512	£ (Irl)		0,904915	£ (UK)
	0,0434063	£ (UK)		2 303,81	Lit		2 087,32	Lit
	9,17037	Dr		211,268	Dr		191,172	Dr
	9,74102	Esc		224,596	Esc		203,103	Esc
	9,28771	Pta		214,144	Pta		193,651	Pta

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